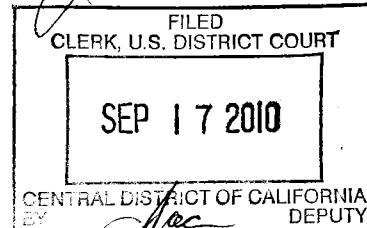


Case 2:08-cv-07078-DDP-VBK Document 166-1 Filed 08/26/10 Page 1 of 5 Page ID #:5313

1 Thomas T. Chan (SBN 129606)
2 thomas.chan@chanlaw.com
3 Konrad L. Trope (SBN 133214)
4 konrad.trope@chanlaw.com
5 CHAN LAW GROUP LLP
6 1055 West Seventh Street, Suite 1880
7 Los Angeles, California 90017
8 Telephone: 213-624-6560
9 Facsimile: 213-622-1154



10
11 Attorneys for Defendants/Counter-Claimants United
12 Pacific Industries, Inc. & Lucidity Enterprise Co., Ltd.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

29 Grand General Accessories Manufacturing
30 Inc., a California corporation;

31 Plaintiff,
32
33 v.

34 United Pacific Industries, Inc., a California
35 corporation; and Lucidity Enterprise Co.,
36 Ltd., a corporation of Taiwan,

37 Defendants.

38
39 United Pacific Industries, Inc. a California
40 corporation; and Lucidity Enterprise Co.,
41 Ltd., a corporation of Taiwan

42 Counter-Claimants,

43 v.

44 Grand General Accessories Manufacturing,
45 a California corporation,

46 Counter-Defendant.

Case No. 08-07078 DDP (VBKx)

**[Proposed] ORDER GRANTING
JOINT STIPULATION FOR
ENTRY OF JUDGMENT
AGAINST PLAINTIFF AND
FOR ENTRY OF JUDGMENT
IN FAVOR OF DEFENDANTS**

**Honorable Dean D. Pregerson
United States District Judge**

1 The Court having considered the Joint Stipulation for Entry of Judgment
2 Against Plaintiff and for Entry of Judgment in Favor of Defendants, hereby grants
3 the Stipulation. Accordingly, pursuant to Fed. R. Civ. Proc., Rule 54 and pursuant
4 to Central District Local Rule 54-1 et. seq., judgment is entered as follows:

5 1. Judgment is entered in favor of Defendants/Counter-
6
7 Claimants as to the first, and third through sixteenth Causes of Action asserted in
8 Plaintiff's Second Amended Complaint (Docket Entry #76) which shall include
9 but not be limited to having all eight of Plaintiff's design patents at issue, the
10 D570,012 ("012 Patent"), D570,013 ("013 Patent"), D474,303 ("303 Patent"),
11 D474,559 ("559 Patent"), D507,670 ("670 Patent"), D511,850 ("850 Patent"),
12 D470,970 ("970 Patent), and D548,038 ("038 Patent) (collectively "the Patents")
13
14 declared invalid.

15 2. The UPI Defendants are adjudged as the prevailing parties. Judgment
16 is entered against Plaintiff/Counter-defendant Grand General such that Grand
17 General takes nothing on its Second Amended Complaint.

18 3. Judgment is entered in favor of Defendants as to Plaintiff's
19 Second Cause of Action in Plaintiff's Second Amended Complaint, as it relates to
20 the "Spyder Design".

1 4. Judgment is entered in favor of Defendants/Counter-
2 Claimants in the First through Tenth Counter-Claims, and Twelfth through
3 Fourteenth Counter-Claims to Plaintiff's Second Amended Complaint found at
4 Docket Entry #99.

6 5. Grand General's Second Cause of Action contained in its Second
7 Amended Complaint as it relates to the Spyder Trademark, USPTO Registration
8 No. 3,108,482, and (b) its Seventeenth Cause of Action contained in its Second
9 Amended Complaint are both hereby dismissed with prejudice. Grand General,
10 however, reserves the right to litigate non-infringement and invalidity as to the
11 Seventeenth Cause of Action only.

14 6. The UPI Defendants dismiss their Eleventh and Fifteenth Counter-
15 Claims, set forth at Docket Entry # 99, with prejudice.

17 7. All of the related actions bearing case numbers 07-cv-0779-
18 DDP-VBK, 08-cv-03504-DDP-VBK and 08-cv-05142-DDP-VBK, all of which
19 involve the same parties as those Parties identified herein, those actions are *BY THE*
20 *ON A SEPARATE ORDERS ISSUED COURT*
21 dismissed with prejudice in accordance with Fed. R. Civ. Proc., Rule 41 (a)(2), so
22 as to give full force and effect to the Joint Stipulation entered herein among the
23 Parties.

Case 2:08-cv-07078-DDP-VBK Document 166-1 Filed 08/26/10 Page 4 of 5 Page ID
#5316

1 8. Costs and fees in the amount of \$100,000 are awarded to Defendants,
2 pursuant to Fed. R. Civ. Proc. 54 and Local Rule 54-1 et. seq., as part of the
3 stipulated entry of judgment set forth herein.

4 9. The PTC and trial dates are VACATED.
5

6 IT IS SO ORDERED.
7

8 Dated: 9-17-10



9 Honorable Dean D. Pregerson
10 United States District Judge for
11 the Central District of California
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27